

IDAHO BOARD OF ACUPUNCTURE
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 7/10/2015

BOARD MEMBERS PRESENT: Charles W. Raymond - Chair
Naomi L. Jankowitz Brownson
Sarah Rodgers
Ethan S Fisher

BUREAU STAFF: Tana Cory, Bureau Chief
Lori Peel, Investigative Unit Manager
Mitchell Toryanski, Legal Counsel
Erin Anderson, Technical Records Specialist I

Minutes of the 4/10/2015 and 7/10/2015 meeting were approved by the Idaho Board of Acupuncture. However, it was later noted that additional corrections were needed. These final corrected minutes are the most accurate record of the meeting and were adopted by the Board on 1/15/2016.

The meeting was called to order at 1:08 PM MDT by Charles W. Raymond.

APPROVAL OF MINUTES

Mr. Fisher made a motion to approve the minutes of 4/10/2015. It was seconded by Ms. Jankowitz Brownson. Motion carried.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. She said that any law changes need to be submitted by August 1, 2015, and rule changes are due the third week of August.

FINANCIAL REPORT

Ms. Cory gave the financial report, which indicated that the Board had a cash balance of \$124,630.31 as of June 30, 2015.

[INVESTIGATIVE REPORT](#)

Ms. Peel gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Ms. Jankowitz Brownson made a motion to accept the Notice of Violation and Settlement Order in case ACU-2015-4 and to authorize the Chair to sign. It was seconded by Mr. Fisher. Motion carried.

OLD BUSINESS

TO DO LIST

Mr. Fisher discussed with the Board his findings in regard to Clean Needle Technique/Blood Borne Pathogen certification. It was determined that the Clean Needle Technique certification was more applicable to the Boards licensure requirements than the Blood Borne Pathogen certification. The Board's chose to not pursue the matter any further.

NEW BUSINESS

Mr. Toryanski also briefly reviewed the change in Idaho Code § 67-2614 in relation to the laws and rules of the Board. This statute changes the reinstatement fee of a license to \$35 unless otherwise specified in Board law or rule. Mr. Toryanski asked the Board if they would like to keep its reinstatement fee as \$250 or join with other boards the Bureau serves which have agreed to refer to Bureau statute so the rule would change when the law changes. Mr. Fisher made a motion to adopt the changes, and direct the Bureau to proceed with the rule changes. The motion died for lack of a second.

The Board discussed continuing education needed for reinstatement. Ms. Jankowitz Brownson made a motion to redraft Rule 305 to include that if a license is expired for one year, the licensee is required to provide CE for that expired year prior to the license being renewed. If the license is expired for two or more years, the licensee must provide two years of CE prior to the license renewing. It was seconded by Mr. Fisher. Motion carried.

Mr. Toryanski reviewed the Supreme Court decision regarding the North Carolina State Board of Dental Examiners, which has the potential to affect boards throughout the United States.

RULE 305

Mr. Toryanski presented the redrafted proposed changes to Rule 305. Mr. Fisher made a motion to accept the proposed changes adding #6, the ability for a continuing education instructor to receive one hour of CE credit for every two hours of class they teach. It was seconded by Ms. Jankowitz Brownson.

MEETING DATES

The Board scheduled the following dates for future meetings:

8/14/2015 1:00 PM conference call meeting
10/23/2015 1:00 PM face-to-face meeting

CORRESPONDENCE

The Board reviewed correspondence submitted by Ms. Sara Rogers. Ms. Rogers had questions about the renewal process and the audit process. The Board discussed the current process and determined no changes were needed.

The Board reviewed additional correspondence submitted by Ms. Sara Rogers. She received a solicitation in the mail from a chiropractor in Kuna who offered the service of dry needling in his practice. The Board felt this may be against the law and not within his scope of practice. It was suggested that the Board ask their association to define the scope of practice, and invite the Chiropractor Board and the Physical Therapy Board to a meeting to discuss dry needling and the overlap of scope of practice between these three professions. Ms. Cory will arrange this meeting. It was seconded by Mr. Fisher. Motion carried.

CONTINUING EDUCATION AUDIT

The Board members reviewed the CE audits, granting approval to licensees who complied with the audit. The Board directed Ms. Anderson to follow up as requested.

EXECUTIVE SESSION

Mr. Fisher made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Ms. Jankowitz Brownson. The vote was: Mr. Fisher, aye; Ms. Jankowitz Brownson, aye; Ms. Rodgers, and Mr. Raymond, aye. Motion carried.

Ms. Jankowitz Brownson made a motion to come out of executive session. It was seconded by Ms. Rodgers. The vote was: Mr. Fisher, aye; Ms. Jankowitz Brownson, aye; Ms. Rodgers, and Mr. Raymond, aye. Motion carried.

APPLICATIONS

Ms. Jankowitz Brownson made a motion to approve the following for licensure:

ACU-314 Lisa Lindsay
ACU-315 Monte Gores
ACU-316 Lori Lloyd

It was seconded by Mr. Fisher. Motion carried.

CE COURSES

Mr. Fisher made a motion to approve the following continuing education course:

Category II-Doctor of the Future: Seven Pillars of Health

It was seconded by Ms. Jankowitz Brownson. Motion carried.

The Board informed Ms. Anderson there was an error in the CE courses approved at the 4/10/2015 meeting. The CE course “Professional Development” was only approved for 18 hours under Category II. The website currently reflects that Category I was approved for 18 hours. Ms. Anderson will make the correction.

****Corrected by motion at the 1/15/16 meeting to read as follows:***

“Ms. Rodgers made a motion to amend the July 10, 2015, minutes to reflect that the correct name of the CE course is “Pharmacognosy Parts I, II and III” and to note the change in those minutes and in the minutes of this meeting. It was seconded by Ms. Jankowitz-Brownson. Motion carried.”

*****Corrected by motion at the 1/15/16 meeting to read as follows:***

“Ms. Jankowitz-Brownson made a motion to approve the CE course “Pharmacognosy Parts I, II and III,” for Category II CE, and that only 6 hours are approved per course, to total 18 hours of Category II approved CE. Included in this motion is informing Mr. Hicks of the correct motion. It was seconded by Ms. Rodgers. Motion carried.”

APPLICATION UPDATES

Ms. Jankowitz Brownson made a motion to accept the updates to the continuing education application. It was seconded by Mr. Fisher

NEXT MEETING was scheduled for 8/14/2015 1:00 PM MDT.

ADJOURNMENT

Ms. Jankowitz Brownson made a motion to adjourn the meeting at 4:57 PM MDT. It was seconded by Mr. Fisher. Motion carried.

Charles W. Raymond, Chair

Sarah Rodgers

Naomi L. Jankowitz Brownson

Tana Cory, Bureau Chief

Ethan S Fisher